

## United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

CHRISTY G. EVANS

v.

UNITED STATES OF AMERICA, ET AL.

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**CIVIL ACTION NO. 4:22-CV-715**

**(JUDGE MAZZANT/JUDGE DURRETT)**

### **MEMORANDUM ADOPTING THE REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation (“Report”) of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 14, 2024, the Magistrate Judge entered a Report (Dkt. #53) that Defendants the United States of America, Lisa Greenway, Carrie Gilliam, Juan De La Garza, Bryan Smith, and James Hurtt’s Motion to Dismiss Plaintiff’s First Amended Complaint for Lack of Subject-Matter Jurisdiction (Dkt. #31) be granted and Plaintiff’s claims be dismissed without prejudice. The Report further recommended that Defendants’ Motion to Stay Discovery and Litigation Deadlines (Dkt. #46) and Plaintiff’s Rule 56(d) Motion for Continuance (Dkt. #36) be denied.

Having received the Report of the Magistrate Judge, considered Plaintiff’s objections (Dkt. #54), and having conducted a de novo review, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendants the United States of America, Lisa Greenway, Carrie Gilliam, Juan De La Garza, Bryan Smith, and James Hurtt’s Motion to Dismiss Plaintiff’s First Amended Complaint for Lack of Subject-Matter Jurisdiction (Dkt. #31) is **GRANTED**. It is

further **ORDERED** that Defendants' Motion to Stay Discovery and Litigation Deadlines (Dkt. #46) is **DENIED**. It is further **ORDERED** that Plaintiff's Rule 56(d) Motion for Continuance (Dkt. #36) is **DENIED**. It is finally **ORDERED** that Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

All relief not previously granted is **DENIED**.

**SIGNED** this 28th day of March, 2024.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE